

## MEETING RECORD

**NAME OF GROUP:** City Board of Zoning Appeals

**DATE, TIME AND**

**PLACE OF MEETING:** Friday, June 14, 2002, 1:30 p.m., Hearing Chambers, County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska

**MEMBERS AND OTHERS**

**IN ATTENDANCE:** **Members:** Tom Wanser, Gene Carroll and Linda Wibbels

**Others:** Rick Peo (Law Dept.), Rodger Harris (Bldg & Sfty), Jason Reynolds and Missy Minner (Planning Dept.), applicants and other interested parties.

**STATED PURPOSE**

**OF THE MEETING:** Rescheduled May Meeting of the City Board of Zoning Appeals

Acting Chair Wibbels called the meeting to order and requested a motion approving the minutes of the April 26, 2002 meeting. Motion for approval made by Carroll, seconded by Wanser. Motion for approval carried 3-0; Carroll, Wanser and Wibbels voting 'yes'; Hancock and Krieser absent.

**City Board of Zoning Appeals No. 2332**

**Requested by Ron Rosburg for a variance to reduce the side yard on property generally located at 3125 Cedar Avenue.**

**PUBLIC HEARING**

**June 14, 2002**

Wibbels stated that the applicant was not able to make this meeting and requested that it be delayed until the June 28, 2002 meeting.

Carroll moved to defer this item until the June 28, 2002 meeting, seconded by Wanser. Motion to defer carried 3-0; Carroll, Wanser, and Wibbels voting 'yes'; Hancock and Krieser absent.

**City Board of Zoning Appeals No. 2333**

**Requested by Norman Massey for a variance to the maximum allowed height of an accessory building on property generally located at 3404 M Street.**

**PUBLIC HEARING**

**June 14, 2002**

Norman Massey appeared. He is proposing the addition of a short 2-story garage. This would enable him to store a car that is currently in storage and move all his cars off the street. He would also have enough room for a workshop in the upstairs portion. If he were to build a single story garage with the same usable space, it would be 26' x 40'. The proposed garage is 22' x 26'. The proposed design reduces the size of the garage. The roof will match the roof on the house. The materials used on the exterior will be painted to match the house.

He spoke with some of the neighbors who gave their approval of the proposed garage. It is important to him to make this look like the house. He is not disputing the height requirement, just the way it is measured.

Wanser asked if there would be any plumbing in the second story area. Massey stated that there would be no plumbing in it. This will not become residential space.

Carroll asked how close this will be to the lot that abuts the back property line and fence. Massey stated that it will be 5' from the lot line because of the underground utilities.

With no one further appearing, the public hearing was closed.

## **ACTION**

**June 14, 2002**

Wanser was of the opinion that this would be great for the area, but he was not sure that the Board had the authority to approve something just because they liked the look of it. The height restrictions are there for a reason.

Wibbels pointed out that the height difference would not exceed the height of the surrounding homes. Carroll stated that this is an accessory building. Wanser added that the accessory buildings in the neighborhood all seem to meet the code.

Wibbels stated that she is familiar with this neighborhood. The lots in the area are narrow. The basements are small, so there is not a lot of storage room. A garage in this area that still allows a yard, and proper ingress/egress is where the hardship and unusual circumstances come in. She knew of three other properties that were granted variances for garages for the exact same reason within the last two or three years. Those properties were in neighborhoods similar to this one.

Wanser stated that he still had reservations, but felt this was unique because the variance is required for the architectural design.

Carroll moved approval of the variance limited to the proposed garage design, seconded by Wibbels. Motion for approval carried 3-0; Carroll, Wanser, and Wibbels voting 'yes'; Hancock and Krieser absent.

There being no further business, the meeting adjourned at 1:45 p.m.